

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

RAMIAH WHITESIDE,

Plaintiff,

v.

Case No. 10-C-725

WILLIAM POLLARD, et al.,

Defendants.

ORDER

Plaintiff Ramiah Whiteside filed two motions to compel, and the parties have exchanged several letters on the subject. This follows earlier motion practice directed to the same topic. The motions will be denied.

The crux of Plaintiff's complaint is that the Defendants are withholding material documents from him. The existence of these documents is speculative, however, as Plaintiff is in no position to know whether they actually exist. The Defendants have reasonably explained that there are no documents material to his discovery requests apart from the conduct reports that they have already produced. There are no secret security files on inmates. Plaintiff's insistence to the contrary does not create a reason to compel discovery. Defendants' counsel is an officer of the Court who is making representations that, if untrue, could result in stiff penalties or loss of a law license. Courts routinely rely on the assurances of counsel, and there is nothing unusual about this action that would suggest that this Court should disregard the representations made by Defendants' counsel.

Plaintiff also complains that his mail is not being handled in a timely fashion. He has not, however, explained how that (even if true) has affected his ability to prosecute this case. He has filed numerous documents, motions and letters in this Court (far more than the average inmate) and has not cited any prejudice resulting from delayed or undelivered mail.

Accordingly, the motions to compel are **DENIED**. The Court does not expect to entertain motions on this topic again absent compelling circumstances.

SO ORDERED this 22nd day of March, 2011.

s/ William C. Griesbach
William C. Griesbach
United States District Judge